



To the Honorable Council  
City of Norfolk, Virginia

April 26, 2016

From: David Ricks, Director of Public Works

**Subject:** Right of Entry Agreements  
for a Water Quality Retrofit Project at  
Lake Modoc

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

**Ward/Superward:** 5/6

Approved:

Marcus D. Jones, City Manager

**Item Number:**

**R-4**

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** City of Norfolk

III. **Description:**

This agenda item is an ordinance to authorize the City Manager to enter into Right of Entry Agreements with the owners of certain parcels of property located around Lake Modoc for the purpose of a water quality retrofit project by the City of Norfolk.

IV. **Analysis**

- The retrofit to Lake Modoc is to increase the water quality treatment efficiency of the lake and to improve hydraulic conveyance capacity for larger storm events if possible in order to reduce stormwater pollution from entering the Chesapeake Bay.
- The retrofit project is a priority in the City's plan to meet the Virginia Department of Environmental Quality's requirements to reduce stormwater pollution entering the Chesapeake Bay.
- The work is proposed to impact the lake edge and the lake bottom, improving the overall functionality of the lake, as well as, aesthetics.
- Several privately owned parcels extend out into the lake and Right of Entry Agreements are recommended for the work to take place in those areas where the lake perimeter and private parcels overlap.

V. **Financial Impact**

No financial impact is anticipated as a result of this ordinance.

**VI. Environmental**

No impact to the environment is anticipated as a result of this ordinance.

**VII. Community Outreach/Notification**

Initial community outreach has taken place via a short informative presentation given to the Bayview Civic League on February 9, 2016. The overall reception of the project was extremely positive. Face-to-face meetings with the owners of the overlapping parcels by City stormwater staff, informing the residents of the project are currently underway. Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

**VIII. Board/Commission Action**

All plats will be filed with Circuit Court upon approval of this ordinance.

**IX. Coordination/Outreach**

This letter and ordinance have been coordinated with the Department of Public Works, the Department of City Planning and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A - Map

Form and Correctness Approved:

By

Office of the City Attorney

Contents Approved:

By

DEPT. Public Works

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO RIGHT OF ENTRY AGREEMENTS WITH THE OWNERS OF CERTAIN PARCELS OF PROPERTY LOCATED AROUND LAKE MODOC FOR THE PURPOSE OF A WATER QUALITY RETROFIT PROJECT.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the City Manager is hereby authorized to enter into right of entry agreements on behalf of the City of Norfolk with the owners of certain parcels of property located in the Lake Modoc area of the City of Norfolk, such parcels of property being designated in Exhibit A attached hereto, for the purpose of a water quality retrofit project.

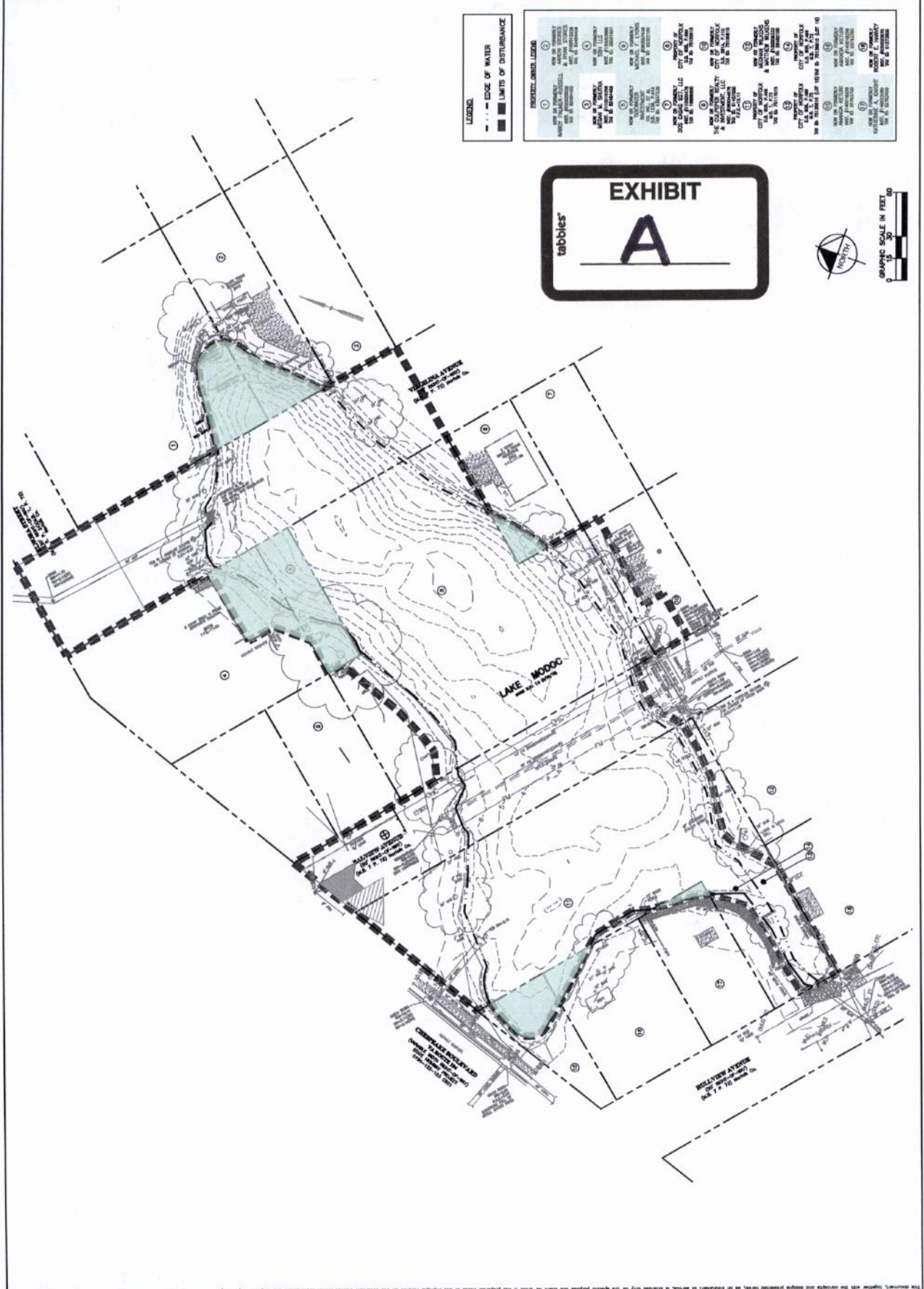
Section 2:- That the said right of entry agreements shall contain such terms and conditions as the City Attorney shall deem satisfactory and in the best interests of the City.

Section 3:- That the City Manager is further authorized to correct, amend or revise the right of entry agreements as he may deem necessary in order to carry out the purposes stated herein.

Section 4:- That this ordinance shall be in effect from and after the date of its adoption.



SHEET NUMBER <b>1</b>		NORFOLK CITY OF NORFOLK PREPARED FOR <b>LAKE MODOC RETROFIT</b>		DISTANCE LIMITS OF		CHECKED BY DATE DESIGNED BY DATE SCALE AS SHOWN DATE 116057090		KIMLEY-HORN 4000 BAKER STREET, SUITE 200, NORFOLK, VA 23513 PHONE: 757-213-8800 FAX: 757-213-8803 WWW.KIMLEY-HORN.COM		NO. REVISIONS DATE BY	
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